

PATENT
Attorney Docket No. 02860.0707-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shigeru HOSOE) Confirmation No. 7081
Application No.: 10/829,020) Group Art Unit: 1731
Filed: April 20, 2004) Examiner: Carlos N. Lopez
For: MOLDING DIE FOR OPTICAL)
ELEMENT, OPTICAL ELEMENT AND)
MASTER DIE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Konica Corporation, duly organized under the laws of Japan and having its principal place of business at 26-2 Nishishinjuku 1-Chome, Shinjuku-Ku, Tokyo, 163, Japan, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/829,020, filed April 20, 2004, for MOLDING DIE FOR OPTICAL ELEMENT, OPTICAL ELEMENT AND MASTER DIE in the name of Shigeru HOSOE. Assignee, Konica Corporation, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,766,999, issued on July 27, 2004, as indicated by assignment duly recorded in the United States Patent and Trademark Office (USPTO) at Reel 012626, Frame 0451 on February 22, 2002; and U.S. Patent Application No. 11/364,211, filed

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March 1, 2006, as indicated by assignment duly recorded in the USPTO at Reel 012626, Frame 0442 on February 22, 2002.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,766,999, issued on July 27, 2004, and co-pending U.S. Patent Application No. 11/364,211. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account No. 06-0916. If a fee is required

for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916,

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 14, 2007

By: /David W. Hill/
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